



FOLEY & LARDNER LLP  
ATTORNEYS AT LAW  
3000 K STREET, N.W.  
SUITE 600  
WASHINGTON, D.C. 20007-5143  
TELEPHONE: 202.672.5300  
FACSIMILE: 202.672.5399  
WWW.FOLEY.COM

## FACSIMILE TRANSMISSION

Total # of Pages : 4 (including this page)

TO:	PHONE #:	FAX #:
Examiner Hrayr Sayadian	(571)272-7779	571-273-7779
GROUP ART UNIT 2814		

From :	<b>Feng Ma</b>
	<b>for Pavan K. Agarwal</b>
Date :	<b>February 28, 2011</b>
Client/Matter No :	<b>035777-0105</b>
User ID No :	<b>2028</b>

## MESSAGE:

## Urgent – Examiner Interview Request

If there are any problems with this transmission or if you have not received all of the pages, please call .

Operator:	Time Sent:	Return Original To: <b>Sandy Smith</b>
-----------	------------	---

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

## Applicant Initiated Interview Request Form

Application No.: 10/554,312 First Named Applicant: Marek MICHALEWICZ  
 Examiner: Hrayr Sayadian Art Unit: 2814 Status of Application: After Final

### Tentative Participants:

- (1) Feng Ma (Reg. No. 58,192) (2) Examiner Hrayr Sayadian; 571-273-7779 (fax)  
 (3) \_\_\_\_\_ (4) \_\_\_\_\_

Proposed Date of Interview: 3/1/2011 Proposed Time: 2:00 PM AM/PM

### Type of Interview Requested:

- (1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated:

☐ YES ☒ NO

If yes, provide brief description: \_\_\_\_\_

### Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej.</u>	<u>Claim 10</u>	<u>Kubena, etc.</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ Continuation Sheet Attached

### Brief Description of Argument to be Presented:

Applicant proposes to amend Claim 10 to recite a structural feature that the pair of solid state hinges each are "thinner"

In the lateral motion direction than in a direction perpendicular to the first substrate. In contrast, the references relied on to supply the "hinges" teach the opposite, and would be unsatisfactory for their intended purposes if modified otherwise.

An interview was conducted on the above-identified application on \_\_\_\_\_.

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

/Feng Ma/

Applicant/Applicant's Representative Signature

Feng Ma; 608-334-4315; fma@foley.com

Typed/Printed Name of Applicant or Representative

58,192

Registration Number, if applicable

Examiner/SPE Signature

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**PROPOSED AMENDMENT TO CLAIM 10 AND REMARKS**

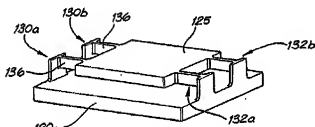
10. (Currently Amended) A electromechanical transducer device comprising:  
 a first substrate;  
 a second substrate mounted on the first substrate by at least one pair of solid state hinges;  
 at least one first elongated electrical conductor extending in a first direction located on a surface of the first substrate facing the second substrate; and  
 at least one second elongated electrical conductor extending in a second direction, which is the same as the first direction, located on a surface of the second substrate facing the first substrate;

wherein:

the surface of the first substrate and the surface of the second substrate are parallel and a gap between the second substrate and the first substrate is about 15 nm or less such that the first and second elongated electrical conductors are opposed to each other at a distance permitting a detectable quantum tunneling current when a suitable electrical potential difference is applied between the first and second elongated electrical conductors; and

the at least one pair of solid state hinges are configured to permit a lateral motion of the second substrate with respect to the first substrate in a direction transverse to the second direction and substantially parallel to the surface of the first substrate;

wherein the at least one pair of solid state hinges each are substantially thinner in the lateral motion direction than in the direction perpendicular to the surface of the first substrate.



Example embodiment

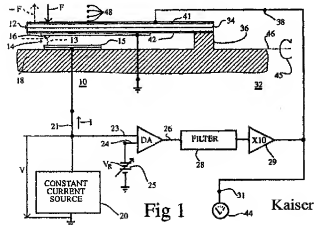
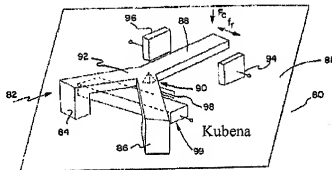
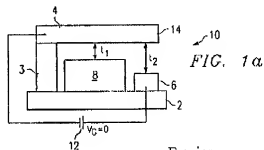


Fig 1

Kaiser



Frazier

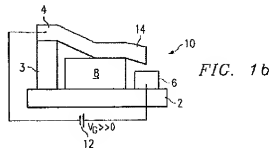
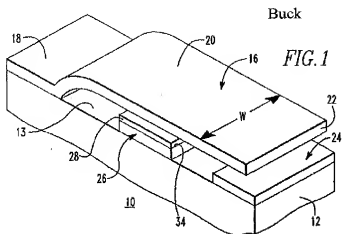
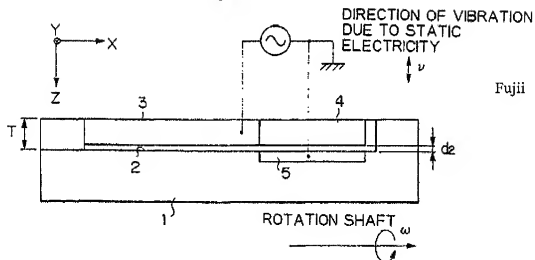


FIG. 1b

*Fig. 2*

Note: Fujii only discloses a free-end cantilever, and thus fails supply “a pair” of solid state hinges. Modifying Fujii to have a pair of solid stage hinges would prohibit its intended free-end oscillation, rendering the system unsatisfactory for its intended purpose.